

REMARKS/ARGUMENTS

Claims 12-35 are active and replace original Claims 1-11 with proper recitation of steps in the claimed methods. Further, multiple dependencies have been removed and the definitions for the variables in formulas I and II are provided. Therefore, the objection under 37 CFR 1.75(c), the rejection under 112, 2nd paragraph and under sec. 101 are no longer applicable.

Support for the claims derives from original Claims 1-11 and the specification on pages 4-6. Therefore, no new matter is added.

To the rejections under sec 102 and/or 103.

As acknowledged in the specification Renga (WO 93/09111) describes the mixtures defined in the claims. However, what Renga does not describe are the methods of using these mixtures as a solvent or as a fuel.

Thus, the claims are not anticipated by Renga's description and as such withdrawal of the rejection is requested.

To the rejection based on Sturwold. Contrary to the position explained in the Action, Sturwold does not explicitly describe the mixtures defined in the claims but does not inherently do so as well. That is, the presumption in the rejection is that based on the common sources where the mixtures can be obtained (those being also described in Sturwold), the Sturwold mixture would inherently possess the alkyl esters of fatty acids having formula (I) and one or more esters of fatty acids of glycerol carbonate having formula (II).

The rejection relies on an erroneous read of the present specification (at page 4, lines 13-20, see page 4 of the Action). That is, when the fats or oils described there are reacted with one or more alkyl carbonate, then one or more esters of fatty acids of glycerol carbonate having formula III are achieved.

Second, with respect to what is described in Sturwold, in col. 4, lines 41-50 and col. 5, line 15-20, "methyl ester of carboxylic acid having from 2 to 36 carbon atoms" are described between the compound, i.e., hindered phenol and dicarboxylic acid, which are prereacted with the natural fat or oil. However, that "methyl ester of carboxylic acid having from 2 to 36 carbon atoms" is prereacted with the natural fat or oil does not mean that alkyl ester of fatty acid having formula (I) are present in the solvent mixture of Sturwold.

Third, there is no mention in Sturwold for one or more alkyl carbonates as in the claims here.

Reconsideration and withdrawal of the rejection is requested.

To the obviousness rejection combining Renga and Tateno. The Examiner acknowledges that Renga does not describe fuel and thus relies on Tateno who describes fuel mixtures but does not describe the particular mixture defined. Thus, the rejection contends that it would have been obvious to employ the mixtures of Renga as a fuel based on the teachings of Tateno. Applicants respectfully disagree.

As described on page 2, lines 22-25 of the present application "on the other hand, the presence of residual glycerol, as such and as mono-, di- and triglycerides, in bio-diesel is not tolerated, due to problems of de-mixing and fouling."

As shown in Table 1 of Tateno (page 9), the residual mono-, di- and triglycerides are summarized as follows:

| Example | residual mono-, di- and triglycerides |
|---------|---------------------------------------|
| 1 | 2% |
| 2 | 2% |
| 3 | 1% |
| 4 | 14% |
| 5 | 1% |
| 6 | 5% |
| 7 | 4% |
| 8 | 4% |
| 9 | 5% |

In contrast, as shown in the Examples of the present application, the residual mono-, di- and triglycerides are:

Example 1: 0.36%

Example 2: 0.37%

Example 3: 0.34%

This shows that the fuel of the present invention, contrary to the fuel in Tateno, because of the low content of residual mono-, di- and triglycerides does not present the problems of de-mixing and fouling. Such is not described by the cited art and as such withdrawal of the rejection is requested.

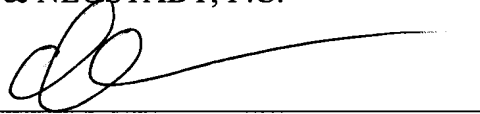
The rejection of Claims 9-11 is not applicable here as methods of preparing mixtures as was presented in these claims are not presented in the claims submitted in this paper.

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A Notice of Allowance is requested.

Respectfully submitted,

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